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TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENTDocket Number (Optional)  
1/1382

In re Application of: Michael P. PIEPER et al.

Application No. 10/625,129

Filed: July 23, 2003

For: PHARMACEUTICAL COMPOSITIONS FOR INHALATION CONTAINING AN ANTICHOLINERGIC,  
CORTICOSTEROID AND BETAMIMETIC

The owner\*, **Boehringer Ingelheim Pharma GmbH & Co.** of 100% percent interest by virtue of an assignment document recorded on July 20, 2004 (Reel 014873/Frame 0420), in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,706,726. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney of record.

  
\_\_\_\_\_  
Signature  
12/07/2006  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
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- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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